

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**In re:**  
**KRISJENN RANCH, LLC**  
*Debtor*

**www.ck12.org**

## Chapter 11

**Case No. 20-50805**

**KRISJENN RANCH, LLC and  
KRISJENN RANCH, LLC-SERIES  
UVALDE RANCH, and KRISJENN  
RANCH, LLC-SERIES PIPELINE  
ROW as successors in interest to  
BLACKDUCK PROPERTIES, LLC,  
*Plaintiffs***

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**v.**

**DMA PROPERTIES, INC., and  
LONGBRANCH ENERGY, LP,  
Defendants**

**Adversary No. 20-05027**

**DMA PROPERTIES, INC**  
***Cross-Plaintiff/Third Party Plaintiff***

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**V.**

**KRISJENN RANCH, LLC,  
KRISJENN RANCH, LLC-SERIES  
UVALDE RANCH, and KRISJENN  
RANCH, LLC-SERIES PIPELINE ROW,  
BLACK DUCK PROPERTIES, LLC,  
LARRY WRIGHT, and JOHN TERRILL  
*Cross-Defendants/Third-Party  
Defendants***

**Adversary No. 20-05027**

**OBJECTION AND MOTION TO QUASH SUBPOENA SEEKING THE  
DEPOSITION OF DAVID STROLLE**

TO THE HONORABLE CHIEF BANKRUPTCY JUDGE RONALD B. KING:

David Strolle (“Deponent”), hereby make his objection and moves this Honorable Court to quash the deposition of Deponent currently scheduled for Friday October 2, 2020 at 9:30 A.M. at the offices of Johns & Counsel PLLC, 14101 Highway 290 West, Suite 400A, Austin, Texas 78737, and would show the Court as follows:

1. On September 8, 2020, Deponent was served with an unsigned Subpoena to Testify at a Deposition in a Bankruptcy Case (Or Adversary Proceeding) (“the Subpoena”) a true and correct copy of which is attached to this Motion as Exhibit A. The Deponent is a practicing attorney who previously represented debtor and other parties to this matter. Counsel for DMA Properties, Inc. did not make any effort to contact Deponent prior to scheduling the deposition to confer regarding the time and/or location of the deposition. Accordingly, Deponent objects to the time and place of the deposition. Had DMA Properties, Inc.’s counsel conferred with Deponent, available dates would have been provided and Deponent would have requested that any such deposition occur at his offices in San Antonio, Texas.

2. Counsel for DMA Properties, Inc. previously served Deponent with a Subpoena Duces Tecum requesting Deponent produce certain documents including documents that Deponent believes are protected by privilege. This privilege issue remains pending at this time.

3. Deponent requests that the deposition as scheduled should be quashed because of the following reasons:

- A. the Subpoena is facially defective as it was not signed by either the clerk or the attorney as required by Federal Rule of Civil Procedure 45(a)(3);
- B. the deposition will require the disclosure of privileged or other protected matters in violation of Federal Rule of Civil Procedure 45(d)(3)(A)(iii);

and,

C. the subpoena subjects Deponent to undue burden in violation of Federal Rule of Civil Procedure 45(d)(3)(A)(iv).

WHEREFORE, Deponent, David Strolle, respectfully requests that the Court set this matter for hearing and issue an order quashing the deposition of David Strolle currently scheduled for October 2, 2020 at the offices of Johns & Counsel PLLC, 14101 Highway 290 West, Suite 400A, Austin, Texas 78737.

Dated: September 14, 2020

Respectfully submitted,

By: /s/ David Strolle  
David P. Strolle, Jr.  
State Bar No. 19408700  
[dstrolle@caglaw.net](mailto:dstrolle@caglaw.net)  
GRANSTAFF, GAEDKE &  
EDGMON, P.C.  
5535 Fredericksburg Road, Suite 110  
San Antonio, TX 78229  
Telephone: 210-348-6600  
Facsimile: 210-366-0892

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on all counsel of record by way of e-service through the CM/ECF system by notice of electronic filing or via email on the 14th day of September 2020:

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BURNS & BLACK PLLC  
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San Antonio, Texas 78209  
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DMA Properties, Inc.

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UNITED STATES BANKRUPTCY COURT

For the Western District of Texas, San Antonio Division

In re KrisJenn Ranch, LLC

Debtor

(Complete if issued in an adversary proceeding)

KrisJenn Ranch, LLC et al.,

Plaintiff

v.

DMA Properties, Inc. and Longbranch Energy, LP

Defendant

Case No. 20-50805

Chapter 11

Adv. Proc. No. 20-05027

SUBPOENA TO TESTIFY AT A DEPOSITION  
IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)

To: David Strolle, 5535 Fredericksburg Road, Suite 110, San Antonio, TX 78229

(Name of person to whom the subpoena is directed)

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this bankruptcy case (or adversary proceeding). If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

PLACE Johns & Counsel PLLC  
14101 Highway 290 West, Suite 400A, Austin, TX 78737

DATE AND TIME  
October 2, 2020 at 9:30 am

The deposition will be recorded by this method:  
certified court reporter

☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:  
**Exhibit A** (attached) details the documents and information to be produced

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 9/4/2020

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)  
DMA Properties and Daniel Moore, who issues or requests this subpoena, are:

Chris Johns, 14101 Highway 290 West, Suite 400A, Austin, TX 78737, cjohns@johnsandcounsel.com, 512-399-3150

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).